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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 I.T. PRODUCTIONS, LLC,

8 Plaintiff,

9 v.

10 JOHN SEARLE, et al.,

11 Defendants.

C16-1775 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable
13 Thomas S. Zilly, United States District Judge:

14 (1) Plaintiff's motion to resume case, docket no. 75, is GRANTED, but solely
15 for the purpose set forth in this Minute Order. After plaintiff filed its motion to resume
16 case, the United States Court of Appeals for the Ninth Circuit issued a decision in
17 *Cobbler Nevada, LLC v. Gonzales*, 901 F.3d 1142 (9th Cir. 2018), which requires
18 plaintiff to plead, in support of its copyright infringement claims, "something more" than
19 each defendant's status as the subscriber of an Internet Protocol address associated with
20 transmission of a segment of plaintiff's motion picture via a peer-to-peer network using
21 the BitTorrent protocol. *See id.* at 1145. Plaintiff is hereby DIRECTED to SHOW
22 CAUSE, on or before November 16, 2018, why the Court should not vacate the defaults¹
23 entered in these matters and dismiss plaintiff's claims (either with or without prejudice,
with or without leave to amend) for failure to state a claim.

¹ Default has been entered as to defendants Scott Gifford, Tho Sam, and William Stitt, *see* Minute Order at ¶ 1 (docket no. 62), Andrew Howard, *see* Order (docket no. 72), and Dona Fristoe, *see* Order (docket no. 73). The Court previously declined to enter default against defendants Kent Browning, Ryan Caruso, Kenneth Christian, and John Searle. *See* Minute Order at ¶ 3 (docket no. 62). Plaintiff's unnoted motion for reconsideration, docket no. 70, as to the refusal to enter default is DENIED.

1 (2) Any objection by a defendant to plaintiff's response to this show cause
2 order shall be filed by December 7, 2018. Any reply by plaintiff to any such objection
3 shall be filed by December 14, 2018.

4 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
5 record and to all remaining (albeit defaulted) pro se defendants.

6 Dated this 19th day of October, 2018.

7 William M. McCool

8 Clerk

9 s/Karen Dews

10 Deputy Clerk